

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JON MAJOR,

Petitioner,

v.

CHERYL STRANGE,

Respondent.

Case No. 3:23-cv-05307-TMC-MLP

ORDER DENYING EMERGENCY
MOTION

On December 23, 2024, Petitioner Jon Major filed an emergency motion requesting that this Court direct Respondent, Cheryl Strange, to inform the Court of Mr. Major's arrest or surrender to the Washington Department of Corrections. On May 12, 2023, Mr. Major filed a petition for writ of habeas corpus challenging a 2018 judgment and sentence in Washington state court. Dkt. 18. At the time, there was an outstanding warrant for his arrest. Dkt. 22 at 2.

In December 2023, this Court adopted the Report and Recommendation of United States Magistrate Judge Michelle L. Peterson and dismissed Petitioner Jon Major's habeas petition without prejudice under the fugitive disentitlement doctrine. Dkt. 54. Mr. Major's appeal from that order was unsuccessful. Dkt. 70. Mr. Major then asked the Court to grant relief under Federal Rule of Civil Procedure 60(b)(6) to "set aside its December 21, 2023 Order and reopen


1 this case based upon resolution of his fugitive status.” Dkt. 72 at 2. Mr. Major represented that he
2 intended to surrender to the Department of Corrections at some point before February 14, 2025.

3 *Id.* at 3. The Court denied this motion and a related motion for reconsider. Dkt. 73; Dkt. 76.

4 Now, Mr. Major, pointing to the warrant and his alleged approaching surrender date, asks
5 the Court to direct Respondent to inform the Court of his arrest or surrender and the place of his
6 confinement within 48 hours of either having occurred. Dkt. 77 at 3. But Mr. Major provides no
7 legal authority to support this request. *See generally id.* Without a basis of authority to issue this
8 directive to Respondent, the Court cannot act. *See, e.g., USA v. Niculae*, No. 2:23-CR-00156-TL,
9 2024 WL 841577 (W.D. Wash. Feb. 28, 2024) (denying motion where petitioner provided no
10 “legal authority for the specific relief requested”). For this reason, the Court DENIES the
11 motion.

12 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
13 to any party appearing pro se at said party’s last known address.

14 Dated this 23rd day of December, 2024.

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16 _____
Tiffany M. Cartwright
United States District Judge